





City of Loma Linda Official Report

Karen Gaio Hansberger, Mayor
Floyd Petersen, Mayor pro tempore
Robert Christman, Councilmember
Stan Brauer, Councilmember
Robert Ziprick, Councilmember

COUNCIL AGENDA: December 14, 2004

TO: City Council

VIA: Dennis R. Halloway, City Manager 

FROM: Rolland M. Crawford, Director of Public Safety/Fire Chief 

SUBJECT: Designation of Fire Station 251 as a Safe Haven

RECOMMENDATION

That the City Council: Designate Fire Station 251 as a "safe-surrender site" where a mother or other person who has lawful custody of a newborn infant may surrender that infant to any on-duty firefighter.

BACKGROUND

The California Safe Haven Law (SB 1368, Brulte) was signed into law by Governor Davis in 2000 went into effect on January 1, 2001. It provides that no parent or other person having lawful custody of a minor child 72 hours old or younger may be prosecuted for child abandonment if he or she voluntarily surrenders physical custody of the child to any employee on duty at a public or private hospital emergency room, or any additional location designated by the board of supervisors. The law is a concerted effort to stop the abandonment of newborn infants in dumpsters or other locations. The San Bernardino County Fire Chiefs Association has given its full endorsement and support for implementation of Safe Havens at fire stations within San Bernardino County. The San Bernardino County Board of Supervisors approved a resolution to that effect in August of this year.

ANALYSIS

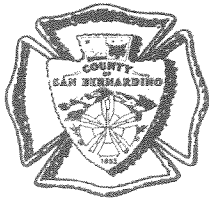
The abandonment of newborn infants is a tragedy that doesn't have to happen. Fire Station 251 is a logical location for implementation as a safe place for such an infant to be surrendered, given its proximity to Loma Linda University Medical Center and the LLU Children's Hospital. Training will be provided to all Department of Public Safety personnel on how to implement the program (see copy of procedure).

ENVIRONMENTAL

None.

FINANCIAL IMPACT

The initial packets for use by receiving firefighters are provided to us at no cost to the City. Subsequent packets may be obtained from the San Bernardino County EMS Officers Association (a subunit of the County Fire Chiefs' Association) for a nominal amount.



San Bernardino County Fire Chief's Association

**PROCEDURE FOR ACCEPTING A NEWBORN UNDER THE
CALIFORNIA SAFE HAVEN LAW**

PURPOSE: State law provides immunity for mothers or persons in lawful custody of newborn infants less than seventy-two (72) hours who surrender these infants to a designated "safe-surrender site" from criminal prosecution. This policy was developed to prevent newborn infants from being abandoned resulting in serious injury or death.

POLICY: It shall be the policy of the Fire Department to allow a mother or any person in lawful custody of an infant minor to surrender an infant to any on-duty firefighter.

I. AUTHORITY

Authority for this policy is pursuant to California Health & Safety Code section 1255.7; and California Penal Code section 271.5.

II. DEFINITIONS

A Fire Station considered a Safe-Surrender Site is:

A Fire Station where emergency personnel are present on-site or any emergency scene location to which Fire Department safety personnel respond via a 911 emergency call. The statewide logo that has been adopted by the State Department of Social Services must be clearly visible to the public.

Note Fire stations that are not staffed full time should not be considered Safe-Surrender Sites, but should ensure that an emergency telephone is located outside the entrance to the fire station and offers direct communications to the dispatch center. In the event that an infant surrender call is received, a paramedic unit will be immediately dispatched to the site.

III. PROCEDURE

Department policy is to facilitate the surrender of newborn infants less than **seventy-two (72) hours** of age by the mother discreetly without fear of being prosecuted for child abandonment as outlined below.

- A. Welcome the parent or person surrendering the infant and provide reassurance.
 - B. Accept custody of the newborn and assess for medical needs.
 - 1. If the newborn is delivered to non-paramedic personnel, maintain custody until the arrival of a paramedic unit.
 - C. If a "still alarm" at the fire station, notify Dispatch to generate a medical aid call.
 - 1. Respond a paramedic unit if the newborn is surrendered to a non-ALS company.
 - 2. Respond a transport unit.
 - D. Place the **Confidential Infant ID** tag from the **Newborn Surrender** packet on the newborn's ankle and record the code on the Department Rescue Report.
 - E. Initiate Base Station Hospital contact as soon as reasonably possible to inform the hospital of the situation and ascertain the closest most appropriate receiving facility.
 - 1. Base Station Hospital may direct transport to Labor & Delivery as indicated.
 - 2. Continue to assess and provide for any medical needs of the infant.
- NOTE:** In case of radio communication failure, consider direct transport to Labor & Delivery.
- F. Make a concerted effort to apply the identical coded "armband" to the person voluntarily surrendering the newborn.
 - G. Make a concerted effort to have the person surrendering custody fill-out the authorized questionnaire. The person should be informed that the form is important and may be filled-out on-scene or filled-out and mailed later.
 - H. Paramedics shall accompany the infant to the receiving facility and transfer custody to a designated hospital employee. Document the name and ID number of the person who received custody of the infant on the Department Rescue Report.
 - I. From the hospital or as soon as reasonably possible, but within **forty-eight (48) hours**, notify Child Protective Services of the following:
 - 1. Your name and contact information.
 - 2. Address where incident occurred.
 - 3. Information on Newborn Questionnaire if completed on-scene.
 - 4. Location where newborn was transported.
 - 5. Name of person who received newborn at receiving hospital.

6. Complete a "Child Abuse Investigation Report" (form SS-8583) upon request or other requested documentation.

IV. PROCEDURE FOR INFANTS GREATER THAN 72 HOURS

There is no state immunity from criminal prosecution for the surrender of infants **greater than seventy-two (72) hours** of age available to the mother or person in lawful custody. However, in order to prevent these infants from being abandoned at a later date, the following policy is adopted in handling these situations.

- A. Follow the procedure outlined in Section III above.
- B. Request Dispatch Center to notify the local Police Department or Sheriff as soon as possible and have them respond to the scene. Brief the officer of the situation and reasons why you believe the infant does not meet the less than seventy-two (72) hour requirement.
- C. Paramedics **shall** accompany the infant to the receiving facility and transfer custody to a designated hospital employee. The hospital staff shall also be informed of the reason why the infant is suspected to not meet the **seventy-two (72) hour** requirement.

As soon as reasonably possible, contact CPS by telephone to make a verbal report.

1. Complete a "Child Abuse Investigation Report" (Form SS-8583).

V. SUSPECTED CHILD ABUSE

In all cases where Department personnel know or reasonably suspect that the infant has been the subject to physical or sexual abuse, CPS should be notified.

RESOLUTION NO.

A RESOLUTION OF THE CITY OF LOMA LINDA DESIGNATING
THE LOMA LINDA FIRE STATION AS A "SAFE HAVEN" FOR
THE SURRENDER OF NEWBORNS

WHEREAS, reports have occurred in San Bernardino County of confused and frightened women who, after giving birth, have abandoned their newborn infants without regard to their child's safety; and

WHEREAS, the California Legislature has enacted legislation intended to provide a safe option to parents or guardians for surrendering unwanted newborn children to safe-surrender sites for medical care, child protection, and permanent placement services; and

WHEREAS, the legislation protects the parent or guardian of the newborn from prosecution if he or she voluntarily surrenders physical custody of the child to personnel on duty at a safe-surrender site; and

WHEREAS, the San Bernardino County Board of Supervisors, by resolution, has designated participating fire stations within the County as "Safe Havens" for the surrender of newborns; and

WHEREAS, Loma Linda Firefighters and Paramedics are trained and equipped to accept newborn babies and provide immediate emergency care while enroute to a hospital; and

WHEREAS, San Bernardino County Fire Chiefs Emergency Medical Services Association developed the attached "Safe-Haven" Guidelines for establishing infant safe-surrender sites at participating fire stations; and

WHEREAS, the San Bernardino County Fire Chiefs Association has endorsed the "Safe-Haven" Protocol;

NOW THEREFORE BE IT RESOLVED THAT the City Council of the City of Loma Linda hereby designates Fire Station 251 located at 11325 Loma Linda Drive as an infant safe-surrender site ("Safe Haven") and urges all other local fire departments and districts to participate as "Safe Havens".

PASSED, APPROVED AND ADOPTED this 14th day of December 2004 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Karen Gaio Hansberger, Mayor

ATTEST:

Pamela Byrnes-O'Camb, City Clerk